

Definitions of Findings:

Sustained:	The allegation of misconduct is supported by the evidence.
Not Sustained:	The evidence neither proves nor disproves the allegation of misconduct.
Exonerated:	The event described did occur, and the actions taken by the officer(s) were lawful and proper.
Unfounded:	The allegation of misconduct did not occur as described.
Administratively Unfounded or Administratively Inactivated:	The case has a fundamental legal or procedural defect or the involved personnel cannot be identified.

Note: August will show a higher than average number of closed cases due to clearance of a large number of cases backlogged for special review by the OPA Director.

CONDUCT UNBECOMING AN OFFICER

Synopsis

Complainant alleged police used profanity when they questioned several young men about large debris left on a busy street and made inappropriate comments in the U of W Greek Row.

Complainant alleged that during a stop for a jaywalking violation, an officer made an inappropriate racial comment.

Complainant alleged that two uniformed officers were rude and profane toward him and that one officer began screaming at him.

A witness claimed an officer made an inappropriate remark about an establishment.

Complainant alleged that towards the conclusion of the Reclaim the Streets 2002 demonstration, the named officer told him, "Get the hell back."

Complainant alleged he was told, "Go to hell," and hung up on when he made a call to a Precinct.

Complainant alleged the named sergeant, while pulling out of the police garage, nearly caused an accident.

Complainant alleged the named officers made rude or profane remarks.

Action Taken

Use of profanity not established by evidence. Finding UNFOUNDED. One officer counseled about need to use appropriate language.

Complainant gave inconsistent and escalating accounts of the incident. Finding UNFOUNDED where complainant's account of incident not credible.

Investigation unable to determine whether the named officers were SPD officers. Finding - ADMINISTRATIVELY INACTIVATED.

Finding - NOT SUSTAINED.

Complainant would not identify himself or provide contact information and officers could not be identified. Finding -ADMINISTRATIVELY UNFOUNDED.

The investigation could not determine who may have spoken to the complainant. Finding - ADMINISTRATIVELY INACTIVATED.

Finding - UNFOUNDED.

Complaint did not cooperate in investigation. Finding -EXONERATED.

MISUSE OF AUTHORITY

Synopsis

Complainant alleged officer issues him ticket after complainant refused to pay cash.

Complainant alleged an officer issued a ticket on retaliation after the complainant honked at the officer for nearly causing an accident.

Action Taken

Thorough investigation showed that allegation was without merit. Finding - UNFOUNDED.

Complainant's account disputed by witness. Finding - UNFOUNDED.

UNNECESSARY FORCE

Synopsis

Complainant alleged the officers pushed him to the ground when he was detained as a possible suspect in a nearby crime.

Complainant alleged that towards the conclusion of the Reclaim the Streets 2002 demonstration, the named officer 'karate' punched him in the throat.

Complainant alleged that the named officer wrestled her to the ground, put his knee onto her back, dropped her onto the ground, and tossed her into the rear of a patrol car during her arrest.

Complainant alleged the named officers punched the subject, tased the subject, and dragged him from the patrol car to the holding cell.

Complainant alleged the named officers grabbed, pushed and dragged her into the roadway and placed her under arrest while she was participating in the N30 protest.

Complainant alleged several instances of unnecessary force during the New Year's Eve celebration on Capitol Hill.

Action Taken

Both officer and civilian witnesses report that no force was used in the detention other than to have the complainant sit on the ground. Complainant did not cooperate in investigation after initial complaint was made. Finding UNFOUNDED.

Complaint investigated. Complainant would not identify himself or provide contact information and no potentially named officers could be identified. Finding ADMINISTRATIVELY UNFOUNDED.

Complaint investigated. Investigation showed that only minimal force was used, and the force was reasonably necessary to take the suspect into custody. The use of force was reported, screened, and documented. A civilian witness corroborated the named officer's report. Finding ADMINISTRATIVELY UNFOUNDED.

Investigation showed that the force used by the named officers was reasonably necessary. The incident of force was reported, screened and documented. Finding EXONERATED.

Investigation showed the force used was reasonable and minimally necessary to safely take the complainant into custody and arrest her. Finding EXONERATED.

Investigation led to three separate findings on each of the allegations of unnecessary force--UNFOUNDED, EXONERATED and ADMINISTRATIVELY INACTIVATED.

UNNECESSARY FORCE

Synopsis

Complainant alleged the named officers forced the subject's head onto the hood of a vehicle and struck the subject several times on his back with their fists.

Complainant alleged the named officer hit him in the chest and hand with a baton.

Complainant alleged the named officer used a taser on him while he was on the ground surrendering and kneed him in the ribs and face and pushed his head into the concrete.

Complainant alleged the named officers tossed her against her bedroom wall while arresting her.

Complainant and subject alleged the named officers and sergeant took the subject to the ground and placed a knee on his head or neck.

Action Taken

Investigation showed the force used was reasonable and minimally necessary to overcome the subject's resistance and take him into custody. Finding EXONERATED.

Investigation determined force employed by the named officer and corroborated by witnesses was reasonably necessary. The incident and application of force were reported, screened and documented. Finding - EXONERATED.

Investigation showed force reported by the named officer was reasonable and necessary to take the suspect into custody. Finding - EXONERATED.

Investigation showed force used by the named officers and corroborated by witnesses was that which was reasonably necessary. Finding - EXONERATED.

Investigation showed force used by the named officers and corroborated by witnesses was reasonably necessary. Finding - EXONERATED.

BIASED POLICING

Synopsis

Complainant alleged he was racially profiled when he was detained by officers as a possible suspect.

Complainant alleged the officer dispatched to disturbance call had a dismissive attitude toward his situation, and told him he didn't give a damn what complainant thought. Complainant felt officer's attitude due to complainant's sexual orientation.

Action Taken

Evidence showed that complainant was detained because he matched suspect description, and was traveling the same direction as the suspect just a block away from where crime had occurred. Finding - UNFOUNDED. Policy recommendations not relevant to outcome of investigation were made by OPA to the Department.

Officer found to have properly investigated and took appropriate action. Allegation that officer said he didn't give a damn could not be proved or disproved. Finding - NOT SUSTAINED.

IMPROPER SEARCH

Synopsis

Complainant alleged that officers entered his establishment, looked under a seat cushion, and didn't tell him why.

Complainant alleged that the named officer touched her breast and thighs while searching her in the precinct holding cell.

Action Taken

Investigation showed entry/search proper where officers were pursuing a suspect armed with a handgun. Officers were counseled by supervisor on future calls, and returned to establishment later to explain circumstances.

A female officer stated that she was the officer who conducted the search of the complainant and that the named officer was not present at that time.
Finding - ADMINISTRATIVELY UNFOUNDED.

RUDENESS

Synopsis

Complainant alleged the named sergeant was rude in saying, "Shut up."

Action Taken

The evidence disproved this allegation and the complainant withdrew his allegation. Finding - ADMINISTRATIVELY UNFOUNDED.

FAILURE TO IDENTIFY SELF

Synopsis

Complainant alleged that when he asked for the officers' badge numbers, they refused to provide any identifying information.

Action Taken

The investigation was unable to determine whether the named officers were SPD officers and to identify them. Finding - ADMINISTRATIVELY INACTIVATED.

INTERFERING WITH REPORTING MISCONDUCT

Synopsis

Complainant alleged officers tried to intimidate him into not filing a complaint regarding the officers' alleged misconduct and that one of the officers said, "If you file a complaint, you'll be sorry."

Action Taken

Investigation was unable to determine whether that the named officers were SPD officers and to identify them. Finding - ADMINISTRATIVELY INACTIVATED.

VIOLATION OF RULES/REGULATIONS/LAWS

Synopsis

Complainant alleged the named SPD Parking Enforcement Officer (PEO) made a vehicle traffic stop and asked for subject's driver's license and registration information.

Action Taken

Investigation showed that the PEO, who was in his uniform, did not make a stop and did not represent himself as an officer. Finding - ADMINISTRATIVELY UNFOUNDED.

SAFEGUARDING/MISHANDLING EVIDENCE/PROPERTY

Synopsis

Complainant alleged at the time of his 1998 bank robbery arrest, he had over \$5,000 in his possession that was seized from him. He alleges that less than \$900 was placed into evidence. He alleges that unknown officers took the remaining several thousand dollars.

Complainant alleged one of the named officers did not retrieve his broken glasses at his request.

Complainant alleged that a giant puppet arm was confiscated from him during the New Year's Eve celebration on Capitol Hill, thrown into a patrol car, and never returned to him.

Complainant alleged the named officer mishandled his property as \$100 and comb were missing from his property when released from jail.

Action Taken

The investigation disproved nearly all of the circumstances reported by the complainant. Further, the complaint was made four years after the arrest and the complainant has multiple felony convictions for crimes of dishonesty. Finding - ADMINISTRATIVELY UNFOUNDED.

Investigation showed no evidence that the complainant was wearing eyeglasses. Finding- UNFOUNDED.

Investigation unable to determine who may have been involved in this incident. Finding - ADMINISTRATIVELY INACTIVATED.

Investigation determined that if the complainant had any currency in his possession, it would have been considerably less than \$100. Finding - UNFOUNDED.

FAILURE TO TAKE APPROPRIATE ACTION

Synopsis

Complainant alleged the named officer failed to properly document important facts surrounding the assault incident he had been involved in and listed as the victim of.

Action Taken

Complaint investigated as an OPA-IS investigation. The case was subsequently changed to a Supervisory Referral.

OBEDIENCE TO RULES

Synopsis

Complainant alleged the named officers held the complainant outside of his vehicle for approximately one hour during a traffic stop.

Action Taken

Line investigation revealed that the complainant was detained for approximately 20 minutes, standard time, to run a name and issue a citation. After initial complaint, complainant did not cooperate in investigation. Finding - EXONERATED.